

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

THE BOEING COMPANY

and

**INTERNATIONAL ASSOCIATION OF MACHINISTS
AND AEROSPACE WORKERS, AFL-CIO**

**Cases 10-CA-204795
10-CA-226718
10-CA-227191
10-CA-229378
10-CA-229979
10-CA-231035
10-CA-231815
10-CA-231853
10-CA-231888
10-CA-232626
10-CA-233509
10-CA-234519
10-CA-245435**

ORDER

Respondent The Boeing Company's Motion to Dismiss in part the consolidated complaint is denied. The Respondent has not demonstrated that the complaint fails to state a claim upon which relief can be granted.¹ In its motion, the Respondent also requests that the Board order the Regional Director to provide a bill of particulars regarding several of the complaint allegations. In accordance with Section 102.24 of the Board's Rules and Regulations, the Respondent's request for a bill of particulars should have been filed with the Division of Judges rather than the Board. However, on June 11, 2020, Administrative Law Judge Geoffrey Carter granted in part and denied in

¹ Because the charge in Case 10-CA-204795 was held in abeyance rather than dismissed, the Acting Regional Director acted within his prosecutorial discretion under Sect. 3(d) of the Act in including the charge in the consolidated complaint. See *Teamsters Local 385 (Walt Disney World Co.)*, 366 NLRB No. 96, slip op. at 1, n.3 (2018) (finding that *Ducane Heating Corp.*, 273 NLRB 1389 (1985), enf'd. 785 F.2d 304 (4th Cir. 1986), is inapplicable to charges held in abeyance).

part the Respondent's request and the Board has not received a request for special permission to appeal the judge's order. Accordingly, the Respondent's request for a bill of particulars is not before the Board.

Dated, Washington, D.C., June 17, 2020.

JOHN F. RING,	CHAIRMAN
MARVIN E. KAPLAN,	MEMBER
WILLIAM J. EMANUEL,	MEMBER